

<b>NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES</b>		<b>ATTORNEY'S DOCKET NO.</b> X17671	
<b>SERIAL NO.</b> 10/572543	<b>FILING DATE</b> September 17, 2004  <b>PCT NAT'L ENTRY DATE</b> November 28, 2006	<b>EXAMINER:</b> STONE Christopher R.  <b>CONF. NO.:</b> 7392	<b>GROUP ART UNIT</b> 1614
<b>IN RE APPLICATION OF CLARK Darcey</b>			
<p><b>TO THE COMMISSIONER FOR PATENTS:</b></p> <p>Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision dated <u>August 27, 2008</u> of the Primary Examiner finally rejecting Claim(s) <u>74-81</u>.</p> <p>( ) Notice of Appeal fee not required (fee paid in prior appeal of this application)</p> <p>(X) Notice of Appeal fee \$540.00</p> <p>( ) Applicant(s) petition(s) under 37 C.F.R. 1.136 for an extension of time to file the foregoing Notice of Appeal as follows:</p> <p style="padding-left: 40px;">( ) One month (\$120.00)</p> <p style="padding-left: 40px;">( ) Two months (\$460.00)</p> <p style="padding-left: 40px;">( ) Three months (\$1,050.00)</p> <p>Please charge the fees indicated in the amount <u>\$540.00</u> to Deposit Account No. 05-0840.</p> <p>The Commissioner is hereby authorized to charge any additional fees which may be required by this or any related paper, or credit any overpayment to Deposit Account No. 05-0840.</p> <p>Two copies of this sheet are enclosed.</p> <p style="text-align: right;">/Tina M. Tucker/ Tina M. Tucker Attorney for Applicants Registration No. 47,145 Phone: 317-277-3537</p> <p>ELI LILLY AND COMPANY Patent Division/TMT P.O. Box 6288 Indianapolis, Indiana 46206-6288</p> <p><u>November 26, 2008</u></p>			